

AMENDED IN SENATE JUNE 26, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

**ASSEMBLY BILL**

**No. 195**

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**Introduced by Committee on Budget (Evans (Chair), Arambula, Beall, Blumenfield, Brownley, Caballero, Carter, De La Torre, Feuer, Hill, Huffman, Monning, Ruskin, and Swanson)**

February 2, 2009

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~~An act relating to the Budget Act of 2009.~~ *An act to add Section 5010.3 to the Public Resources Code, and to add Section 10751.5 to the Revenue and Taxation Code, relating to public resources, and declaring the urgency thereof, to take effect immediately.*

LEGISLATIVE COUNSEL'S DIGEST

AB 195, as amended, Committee on Budget. ~~Budget Act of 2009.~~ *Vehicle License Fee Law (VLF): state parks fee.*

*The Vehicle License Fee (VLF) Law establishes, in lieu of any ad valorem property tax upon vehicles, an annual license fee for any vehicle subject to registration in this state. Under the California Constitution and existing law, the fees are deposited into the Vehicle License Fee Account of the Local Revenue Fund in the State Treasury for allocation to cities, counties, and cities and counties.*

*This bill would additionally impose an annual surcharge in the amount of \$15 on every vehicle subject to the VLF to sustain the operation and maintenance of the state park system, among other things. The bill would create the State Parks Access Fund in the State Treasury and would require that the \$15 surcharge be deposited in this fund to be used for specified purposes by the Department of Parks and Recreation upon appropriation by the Legislature.*

*The bill would also require the department to provide free vehicle access to units of the state park system to those vehicles subject to the fee. The bill would define “free vehicle access” to mean free vehicle day use at all state parks, except as specified.*

*This bill would declare that it is to take effect immediately as an urgency statute.*

~~*This bill would express the intent of the Legislature to enact statutory changes relating to the Budget Act of 2009.*~~

~~*Vote: majority <sup>2</sup>/<sub>3</sub>. Appropriation: no. Fiscal committee: no.*~~  
~~*yes.*~~  
*State-mandated local program: no.*

*The people of the State of California do enact as follows:*

- 1     *SECTION 1. The Legislature finds and declares all of the*  
2     *following:*  
3     *(a) The California state park system is a unique resource that*  
4     *must be preserved and protected for future generations.*  
5     *(b) California’s state park system is the largest in the nation*  
6     *and contains over 1.5 million acres of land managed for natural,*  
7     *cultural, and historical resource values in 279 parks across the*  
8     *state.*  
9     *(c) California’s state park system hosts more than 80 million*  
10    *visitors annually and houses over 3,100 historic buildings and*  
11    *more than 14,000 individual and group campsites.*  
12    *(d) The budget for the state park system has not kept up with*  
13    *the state’s population growth and growing demand. The annual*  
14    *budget for state parks is approximately \$117 million less than the*  
15    *amount necessary to adequately maintain and operate the parks*  
16    *based on current demand. This ongoing shortfall has caused a*  
17    *burgeoning backlog of deferred maintenance of over \$1.2 billion*  
18    *in 2008.*  
19    *(e) Californians deserve a world-class state park system that*  
20    *will preserve and protect the unique resources of the state for*  
21    *future generations.*  
22    *(f) To address the need to fully fund the state parks system, it*  
23    *is the intent of the Legislature in enacting this act to establish a*  
24    *stable, reliable, and adequate funding source for the state park*  
25    *system and to protect the state’s natural resources, while also*  
26    *providing increased and equitable access to those resources for*  
27    *all Californians.*

1     (g) *Proper maintenance of the state park system will allow*  
2 *California to continue to draw the millions of tourists each year*  
3 *who contribute to the state's multibillion dollar tourism economy.*

4     SEC. 2. *The Legislature further finds and declares all of the*  
5 *following:*

6     (a) *Imposition of the fee under this act is intended to ensure*  
7 *that the state park system is operated and maintained at a level of*  
8 *excellence and to allow increased access to state parks for all*  
9 *Californians.*

10    (b) *It is the intent of the Legislature that imposition of the fee*  
11 *under this act creates a dedicated, sustainable, and secure source*  
12 *of funding to manage and protect California's state park system*  
13 *in perpetuity.*

14    (c) *By instituting this new funding source for state parks, the*  
15 *existing General Fund allocation currently provided to the*  
16 *Department of Parks and Recreation will be returned to the*  
17 *General Fund for general state budget purposes once the fee*  
18 *imposed by this act has been fully implemented.*

19    SEC. 3. *Section 5010.3 is added to the Public Resources Code,*  
20 *to read:*

21    5010.3. (a) *The moneys collected from the fifteen dollar (\$15)*  
22 *surcharge imposed pursuant to Section 10751.5 of the Revenue*  
23 *and Taxation Code shall be deposited into the State Parks*  
24 *Preservation Trust Fund, which is hereby created in the State*  
25 *Treasury, and shall be used, upon appropriation by the Legislature,*  
26 *for all of the following purposes:*

27    (1) *State park operation and maintenance expenses.*

28    (2) *Up to 20 percent of the annual fee revenue may be used for*  
29 *debt service on revenue bonds to pay off the deferred maintenance*  
30 *deficit.*

31    (3) *Protection and management of the state's natural resources,*  
32 *wildlife, and wildlife habitat consistent with the public trust*  
33 *responsibilities of the state.*

34    (4) *Law enforcement and lifeguard staffing to ensure the health*  
35 *and safety of visitors to the state park system.*

36    (5) *Operation and maintenance expenses for property of the*  
37 *state park system managed by other public agencies.*

38    (6) *Lost vehicle entry fee revenue associated with property of*  
39 *the state park system managed by other public agencies.*

1 (7) *Public education and outreach programs to maximize*  
2 *accessibility of the state park system.*

3 (8) *Enhancement of the state park system, including, but not*  
4 *limited to, its services and facilities to serve those areas and*  
5 *populations that are currently underserved by the state park system.*

6 (b) *The department shall provide free vehicle access to units of*  
7 *the state park system to those vehicles subject to Section 10751.5*  
8 *of the Revenue and Taxation Code. As used in this subdivision,*  
9 *“free vehicle access” means free vehicle day use at all state parks*  
10 *and shall be subject to those limitations as the department deems*  
11 *necessary to manage the state park system to avoid overcrowding*  
12 *and damage to natural resources. As used in this subdivision, “free*  
13 *vehicle access” does not include camping, tour fees, swimming*  
14 *pool fees, the use of boating facilities, per-person entry fees, any*  
15 *supplemental fees, or specialized parking in areas such as the*  
16 *Candlestick Point State Recreation Area.*

17 SEC. 4. *Section 10751.5 is added to the Revenue and Taxation*  
18 *Code, to read:*

19 *10751.5. In addition to the license fee imposed pursuant to*  
20 *Section 10751, there shall also be imposed an annual surcharge*  
21 *in the amount of fifteen dollars (\$15) on every vehicle subject to*  
22 *the license fee imposed by that section. The fifteen-dollar (\$15)*  
23 *surcharge shall be deposited into the State Parks Access Fund*  
24 *pursuant to Section 5010.3 of the Public Resources Code.*

25 SEC. 5. *This act is an urgency statute necessary for the*  
26 *immediate preservation of the public peace, health, or safety within*  
27 *the meaning of Article IV of the Constitution and shall go into*  
28 *immediate effect. The facts constituting the necessity are:*

29 *To ensure sufficient funding for the Department of Parks and*  
30 *Recreation to maintain public access to state parks, it is necessary*  
31 *for this act to go into effect immediately.*

32 ~~SECTION 1. It is the intent of the Legislature to enact statutory~~  
33 ~~changes relating to the Budget Act of 2009.~~